

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)

2008 JUL 30 P 2:24

CLERK OF U.S. DISTRICT COURT
ALEXANDRIA, VIRGINIA

THE SCIENTEX CORPORATION,
1655 North Fort Myer Drive
Suite 700
Arlington, Virginia 22209

Plaintiff,

v.

RENAISSANCE TECHNOLOGIES, INC.
5000 Ritter Road, 2nd Floor
Mechanicsburg, Pennsylvania 17055

Serve:

Business Filings Incorporated
Registered Agent
4701 Cox Road
Suite 301
Glen Allen, Virginia 23060-6802

Defendant.

Civil Action No.

1:08cv800
T.S.E./TCB

DEMAND FOR JURY TRIAL

COMPLAINT

Plaintiff, The Scientex Corporation, by counsel, submits the following Complaint against defendant Renaissance Technologies, Inc., and alleges as follows:

1. This is an action for patent infringement under 35 U.S.C. § 1 et seq.

PARTIES

2. Plaintiff The Scientex Corporation ("Scientex") is a corporation formed and existing under the laws of Delaware with offices located at 1655 North Fort Myer Drive, Suite 700, Arlington, Virginia 22209.

3. Defendant Renaissance Technologies, Inc. ("RTI") is a corporation formed and existing under the laws of Pennsylvania with offices located at 5000 Ritter Road, 2nd Floor, Mechanicsburg, Pennsylvania 17055.

JURISDICTION AND VENUE

4. This action arises under the patent laws of the United States, 35 U.S.C. § 1 et seq. Subject matter jurisdiction exists pursuant to 28 U.S.C. § 1338(a).

5. Personal jurisdiction over RTI is proper in this District.

6. Venue exists in this District pursuant to 28 U.S.C. §§ 1391(c) and 1400(b).

SCIENTEX'S PATENT

7. Scientex owns all title, right, and interest in and to United States Letters Patent No. 6,064,318 (the "'318 Patent") entitled "Automated Data Acquisition and Processing of Traffic Information in Real-Time System and Method for Same," which was duly and legally issued by the United States Patent and Trademark Office on May 16, 2000. The '318 Patent was reexamined, *ex parte*, and an Ex Parte Reexamination Certificate was issued on November 23, 2004. A copy of the '318 Patent is attached as Exhibit A, and a copy of the Ex Parte Reexamination Certificate is attached as Exhibit B.

8. The '318 Patent and the Ex Parte Reexamination Certificate are hereinafter collectively referred to as the "Patent-In-Suit."

COUNT I
(Patent Infringement – 35 U.S.C. § 271)

9. Plaintiff incorporates, by reference, paragraphs 1-8.

10. RTI has and continues to infringe the Patent-In-Suit by making, using, offering to sell, and selling products and/or systems that embody the claimed inventions of the Patent-In-Suit, and will continue to do so unless enjoined by this Court.

11. RTI's acts of infringement include, but are not limited to, RTI's offer to sell, and sale of, an automated, portable, real-time traffic information system in connection with a request for proposal issued by the Virginia Department of Transportation relating to a Variable Speed Limit System at or near the Woodrow Wilson Bridge.

DEMAND FOR RELIEF

WHEREFORE, Scientex requests this Court to enter judgment in its favor and against RTI, awarding it the following relief:

1. Enjoining RTI, its officers, agents, servants, employees, and any others acting in concert with RTI from infringing the Patent-In-Suit;
2. Awarding Scientex damages resulting from RTI's acts of infringement and ordering RTI to account for and pay to Scientex damages adequate to compensate Scientex for the infringement of its patent rights, including lost profits;
3. Declaring this case exceptional pursuant to 35 U.S.C. § 285 and awarding Scientex interest, costs, expenses and attorney fees; and
4. Granting Scientex such other relief as the Court deems just and proper.

JURY DEMAND

Scientex hereby demands trial by jury as to all issues in this action triable of right by a jury.

THE SCIENTEX CORPORATION
By Counsel

REED SMITH LLP

By: 

Mark W. Wasserman (VSB #22638)
Matthew R. Sheldon (VSB #41892)
3110 Fairview Park Drive
Suite 1400
Falls Church, Virginia 22042
(703) 641-4229 (direct)
(703) 641-4200 (main no.)
(703) 641-4340 (FAX)

Of Counsel:
Stanley P. Fisher, Esq.
REED SMITH LLP
3110 Fairview Park Drive
Suite 1400
Falls Church, Virginia 22042
(703) 641-4211 (direct)
(703) 641-4200 (main no.)
(703) 641-4340 (FAX)

Counsel for Plaintiff

Dated: July 30, 2008